IN THE HIGH COURT OF KERALA AT ERNAKULAM
PRESENT :
THE HONOURABLE MR. JUSTICE A.K.BASHEER

TUESDAY, THE 21ST AUGUST 2007 / 30TH SRAVANA 1929

WP(C).No. 10021 of 2006(R)

PETITIONER:

S.ANIL KUMAR, AGED 39 YEARS, S/O. LATE SANKARA PANICKER, LOWER DIVISION STORE KEEPER, SANATANA DHARMA COLLEGE, ALAPPUZHA, RESIDING AT ANAKALUPARAMBIL, KOTTAMKULANGARA, AVALOKKUNNU POST, ALAPPUZHA-6.

BY ADV. SRI.K.R.RAGHUNATH

RESPONDENTS:
---
1. STATE OF KERALA, REP. BY THE SECRETARY TO GOVERNMENT, DEPARTMENT OF HIGHER EDUCATION, SECRETARIAT, THIRUVANANTHAPURAM.

2. THE DIRECTOR OF COLLEGIATE EDUCATION, THIRUVANANTHAPURAM.

3. THE MANAGER, SANATANA DHARMA COLLEGE, ALAPPUZHA.

4. THE PRINCIPAL, SANATANA DHARMA COLLEGE, ALAPPUZHA.

*R5. S. SUBRAMANIAN PILLAI, L.D. CLERK (HG)
STAFF COURTS, SD COLLEGE
ALAPPUZHA

*R6. FELIX FABER, LD CLERK (HG)
SOFIA VILLA, KANJIRAMCHIRA P.O., ALAPPUZHA

*R7. P.K. SIVADASAN PILLAI,
'SIVAM' KALARKODE, ALAPPUZHA

*R8. S. SANTHOSHKUMAR,
NANDANAM, PUNNAPRA P.O., ALAPPUZHA

ADDL. RESPONDENTS 5 TO 8 ARE IMPLEADED AS PER ORDER DT. 30.5.07 IN I.A. NO. 4803/07

BY GOVT. PLEADER SRI. A.J. VARGHESE
ADV. SRI.K.ANAND (A.201)
SMT.LATHA KRISHNAN
SRI.G.PRIYADARSAN THAMPI
SRI.V.GOPIKRISHNA

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 21/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WPC NO 10021/06

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1.	COPY OF ORDER NO. E2/NTS/13.9.00 DT. 1.7.00
EXT.P2.	COPY OF ORDER NO.E2/NTS/1/2001, DT. 1.3.01 ISSUED FOR THE 3RD RESPONDENT
EXT.P3.	COPY OF ORDER NO. A3/36927/01/CED DT. 16.10.03 ISSUED BY THE 2ND RESPONDENT
EXT.P4.	COPY OF THE CERTIFICATE DT. 8.12.04
EXT.P5.	COPY OF THE LETTER NO.24135/D3/HED DT. 17.1.05
EXT.P6.	COPY OF THE MEMO OF REVERSION ISSUED BY THE 4TH RESPONDENT
EXT.P7.	COPY OF THE MEDICAL CERTIFICATE DT. 24.6.04
EXT.P8 (a) AND (b).	COPIES OF THE REPRESENTATIONS DT. 28.8.04 AND 4.10.04 SUBMITTED TO THE 3RD RESPONDENT
EXT.P9.	COPY OF THE CERTIFICATE ISSUED BY THE KERALA PUBLIC SERVICE COMMISSION
EXT.P10.	COPY OF THE REPRESENTATION DT. 3.6.06 SUBMITTED BY THE PETITIONER TO THE RESPONDENTS

/TRUE COPY/

PA TO JUDGE.

A.K. BASHEER, J.

W.P.(C). NO. 10021 OF 2006

Dated this the 21st day of August, 2007

J U D G M E N T

Petitioner, who is an employee of Sanatana Dharma College, Alappuzha, under the management of respondent No.3, prays for issue of a writ of certiorari to quash Ext.P6, by which he has been ordered to be reverted temporarily from the post of Lower Division Store Keeper to the cadre of Last Grade Staff with effect from February 20, 2005. He further prays for a direction to the respondents to promote him to the post of Lower Division Clerk which may arise consequent to filling up the post of Upper Division Clerk.

2. However, I do not propose to deal with the various contentions raised by the petitioner in the writ petition in view of the limited prayer made by learned counsel for the petitioner at the Bar. He submits that petitioner will be satisfied if a direction is issued to respondent No.2 to take a decision on Ext.P10 in which the petitioner has highlighted all his grievances and the relevant aspects of the issue involved in this case.

In the above facts and circumstances, the writ petition is disposed of with a direction to respondent No.2 to consider and pass orders on Ext.P10 strictly on its merit and in accordance with law, as expeditiously as possible, at any rate within two months from the date of receipt of a copy of this judgment. Respondent No.2 shall ensure that petitioner and respondents 4 to 8 and all others who are likely to be affected by the order that may be passed, are afforded sufficient opportunity to be heard before any decision is taken in the matter. Petitioner shall produce a certified copy of the judgment along with a copy of the writ petition before respondent No.2 for compliance.

A.K. BASHEER, JUDGE

vps

A.K. BASHEER, JUDGE

OP NO.20954/00

JUDGMENT

1ST MARCH, 2007